

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

NO. CR07-199-RSM

10 Plaintiff,

11 v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 JAMES JOSEPH HENDRIX,

13 Defendant.
14

15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on May 22, 2012. The United States was represented by
17 Assistant United States Attorney Lisca Borichewski, and the defendant by Robert Flenbaugh.

18 The defendant had been charged and convicted of Prohibited Person in Possession of a
19 Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 942(a)(2). On or about March 7, 2008,
20 defendant was sentenced by the Honorable Ricardo S. Martinez, to a term of 46 months in
21 custody, to be followed by 3 years of supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, participation in substance abuse and
25 mental health programs, financial disclosure and submit to search.
26

1 In a Petition for Warrant or Summons, dated March 15, 2011, U.S. Probation Officer
2 Thomas J. Fitzgerald asserted the following violations by defendant of the conditions of his
3 supervised release:

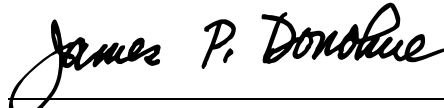
- 4 1. Failing to report to the probation office as directed on March 10, 2011, in
5 violation of standard condition number two of his supervised release.

6 On April 30, 2012, defendant made his initial appearance. The defendant was advised
7 the allegation and advised of his rights. On May 22, 2012, this matter came before the Court
8 for an evidentiary hearing. Defendant admitted to violation 1.

9 I therefore recommend that the Court find the defendant to have violated the terms and
10 conditions of his supervised release as to violation 1, and that the Court conduct a hearing
11 limited to disposition. A disposition hearing on this violation has been set before the
12 Honorable Ricardo S. Martinez on June 8, 2012 at 1:30 p.m.

13 Pending a final determination by the Court, the defendant has been detained.

14 DATED this 22nd day of May, 2012.

15 
16 JAMES P. DONOHUE
17 United States Magistrate Judge

18
19 cc: District Judge: Honorable Ricardo S. Martinez
20 AUSA: Lisca Borichewski
21 Defendant's attorney: Robert Flennaugh
22 Probation officer: Thomas J. Fitzgerald
23
24
25
26